

REMARKS

Claims 1-26 are pending.

In view of the following remarks, the applicants respectfully request withdrawal of each of the rejections and allowance of the application.

Claim Rejections 35 USC § 102

Claims 1, 2, 7, 8-10, 14, 15, 17 and 20-23 have been rejected under 35 USC 102(b) as being anticipated by Isaac et al.

Applicants submit that the cited reference does not anticipate the claimed invention for at least the following reasons.

Claim 1 recites:

A method of fabricating a polysilicon emitter in a semiconductor transistor having an emitter window exposing a base region, the method comprising:

forming a first polysilicon layer within the emitter window on at least the base region;

forming an interfacial oxide layer in an upper portion of the first polysilicon layer; and

forming a second polysilicon layer on the interfacial oxide layer.

(Emphasis Added)

Applicants submit that the above bolded features are not disclosed, taught, or suggested by the cited prior art reference. FIG. 1 of the Isaac patent shows a second insulation layer 20 disposed on polysilicon layer 18. However, forming layer 20 is not equivalent to "forming an interfacial oxide layer in an upper portion of the first polysilicon layer" as recited in claim 1 of the present invention. For instance, layer 20 is a silicon dioxide layer and not an "oxide layer" as recited in claim 1 of the present invention. As it is known in the art (and explained in the present application), to produce an oxide layer requires the bleeding of oxygen. Moreover, layer 20 is disposed on layer 18 and not formed "in an upper portion of the first polysilicon layer" as recited

in claim 1 of the present invention. In addition, the present application addresses problems with grain size and how it affects the size of the transistor. (See page 1, lines 13-20 of the application) In contrast, the Isaac patent is not directed to such a problem. Thus, the Isaac patent does not anticipate claim 1 for at least the above reasons.

Independent claims 9, 14 and 22 recite similar features as claim 1. Thus, these claims should be allowable for at least the same reasons as claim 1. Likewise, claims dependent on these independent claims should be allowable for at least the same reasons.

Claim Rejections 35 USC § 103

Claims 3, 5, 6, 11-13, 16, 18, and 19-24 have been rejected under 35 USC 103(a) as being unpatentable over Isaac.

Independent claims 1, 9, 14 and 22 are patentable in view of the comments above. Dependent claims 3, 5, 6, 11-13, 16, 18, and 19-24 should be allowable for at least the above reasons.